

United States District Court
Middle District of Florida
Orlando Division

LILIANA BEATRIZ MALAVE,

Plaintiff,

v.

No. 6:20-cv-389-ORL-37PDB

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Order

In this case challenging the Commissioner of Social Security's denial of Liliana Malave's application for benefits, the Commissioner moves to stay the case for ninety days or until the Social Security Administration can prepare the transcript of the agency record. [Doc. 10](#). Malave does not oppose the motion. [Doc. 10 at 4](#).

In a denial-of-benefits case, as part of the Commissioner's answer, the Commissioner must "file a certified copy of the transcript of the record including the evidence upon which the findings and decision complained of are based." 42 U.S.C. § 405(g). The Commissioner explains that, because of the novel coronavirus pandemic, the Social Security Administration has suspended in-person services to the public to focus on providing critical services remotely and employee access is limited as work is performed remotely. [Doc. 10 at 1–2](#). The Commissioner explains the Office of Appellate Operations in Virginia compiles the transcript for each case, and their operations have been "significantly impacted" since employees began teleworking on March 16, 2020. [Doc. 10 at 2](#). The Commissioner requests that, "[g]iven the volume of pending cases," the Court "stay the proceedings in this case for ninety [] days or until such time as [the Commissioner] is able to produce a certified transcript of the record, whichever comes sooner." [Doc. 10 at 3–4](#).

Because there is no opposition and the Commissioner presents good cause, the Court **grants** the motion, [Doc. 10](#), and **stays** the case through September 2, 2020. The clerk is directed to administratively close the file for the duration of the stay.

Ordered in Jacksonville, Florida, on June 11, 2020.



PATRICIA D. BARKSDALE
United States Magistrate Judge

c: Counsel of Record